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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,951

03/07/2005

Janne Muhonen

59643.00579

8417

32294

7590

02/24/2010

SQUIRE, SANDERS & DEMPSEY L.L.P.

8000 TOWERS CRESCENT DRIVE

14TH FLOOR

VIENNA, VA 22182-6212

EXAMINER

BROOKS, SHANNON

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

02/24/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/522,951	<b>Applicant(s)</b> MUHONEN, JANNE	
	<b>Examiner</b> SHANNON R. BROOKS	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 29-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/09 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **29-32, 34-45, 47-53, 55-60, and 62-67** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson (6023624) in view of Barnett (US 2001/0006892 A1).

Consider **Claims 29, 41, 42, 53, and 57**, Hanson teaches a method comprising:  
receiving a request for a current location of a mobile station in a mobile communication system (Col. 1, lines 42-48), the request being received from an application

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configured to provide location dependent services (from a CDN that contains a data table where locations are returned, and a program with a record of paging locations, Col. 3, lines 7-21); determining an elapsed time since a last known location of the mobile station was determined (Col. 4, lines 1-5); comparing the elapsed time to a threshold time limit (Col. 4, lines 7-12); and in response to the comparing:

- a) if the elapsed time is within the threshold time limit, providing, to the application, as the current location, the last known location, without contacting the mobile station (if a small amount of time has passed, the application assumes that mobile is close to last location and a decision is made, without contacting the mobile, to try to locate the mobile at the last location (the re-registration cell, Fig. 5, item 507) is used by the application, Col. 3, line 51-62); and
- b) if the elapsed time is not within the threshold time limit, determining a current location of the mobile station and providing to the application, as the current location, the obtained current location (for times larger than smallest threshold, assume that cell is located in sub-Msc, Msc, or anywhere in the area of all Mscs and provide this assumption to the application based on these time thresholds, Fig. 5, blocks 513, 517, and 521).

Hanson teaches finding as a current location. However, Barnett teaches providing as a current location (Pg. 10, [0114]).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the teaching of Barnett into Hanson in order to aid in providing a location (Pg. 10, [0114]).

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Consider **Claims 30, 43, and 58**, Hanson teaches a method further comprising:

determining a current location of the mobile station if the time is not within the threshold limit (flood paging, Col. 4, line 5 and Fig. 5, Block 521); and providing, as the current location, the obtained current location (Col. 2, lines 7-19).

Consider **claims 31, 44, and 59**, Hanson teaches a method wherein the comparing the time to the threshold time limit is dependent upon the status of the mobile station (registered, Col. 4, line 2).

Consider **Claims 32, 45, and 60**, Hanson teaches a method according to claim 31 wherein if the mobile station is active the comparing is disabled (initial restrictive paging is enabled, Col. 5, line 36) and a current location is determined for the mobile station (registered, Col. 4, line 2).

Consider **Claims 34, 47, and 62**, Hanson teaches a method according to claim 30, wherein if a current location is not provided, the last known location is provided as the current location (last registration, Col. 1, line 62).

Consider **Claims 35, 48, and 63**, Hanson teaches a method further comprising storing the last known location of a mobile station together with a time associated with the last known location (Fig. 1, Data table).

Consider **Claims 36, 49, and 64**, Hanson teaches a method according to claim 29 further comprising storing the threshold time limit (elapsed time, Col. 1, line 65 and Fig. 5).

Consider **Claims 37, 50, 65, and 71**, Hanson teaches a method further comprising dynamically adjusting the threshold time limit (Fig. 5, Blocks 531, 533, 535, and 505 and Col. 3, lines 50-67, and Col. 4, lines 1-14).

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Consider **Claims 38, 51, 66, and 72**, Hanson teaches a method wherein the threshold time limit is set by a network operator (Col. 5, lines 29-31).

Consider **Claims 39, 52, 67, 68, and 69**, Hanson teaches a method wherein the threshold limit is included in the request for the current location (Col. 4, lines 1-12).

Consider Claim 40, Hanson teaches a method wherein the time is an elapsed time (Col. 1, line 65).

Consider **Claim 55**, Hanson teaches a mobile communication system wherein the system implements a customized applications for mobile network enhanced logic (CAMEL) framework (Figs. 1 and 3-5).

Consider **Claim 56**, Hanson teaches a mobile communication system wherein the system implements location services (Col. 1, lines 56-67, and Col. 2, lines 1-18).

Consider **Claim 70**, Hanson teaches a system as claimed in claim 53 further comprising means for storing the threshold time limit (Figs. 1 and 5, and Col. 3, line 63-Col. 4, line12).

4. **Claims 33, 46, 54, and 61** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson (6023624) in view of Barnett (US 2001/0006892 A1) and further in view of Kallin (US 6058308).

Consider Claims **33, 46, and 61**, Hanson teaches a method wherein the mobile station has a status except that it does not specifically teach wherein if the status is idle, the comparing is enabled.

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However, Kallin teaches wherein if the status is idle (Col. 2, lines 27-31) the comparing step is enabled.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the teachings of Kallin into Hanson to provide the network of an indication of the position at which the mobile is located (Col. 2, lines 27-31).

Consider **Claim 54**, Hanson teaches a mobile communication system wherein the network element for determining the time at which the last known location was determined except that it does not specifically teach wherein the network element for determining the time at which the last known position was determined includes a visitor location register.

However, Kallin teaches a mobile communication system wherein the network element for determining the time at which the last known location was determined includes a visitor location register (Col. 2, lines 60-63).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the teachings of Kallin into Hanson to provide a network element to receive a registration report of a mobile (Col. 2, lines 60-63).

### ***Conclusion***

5. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon Brooks whose telephone number is (571) 270-1115. The examiner can normally be reached on 7:30a.m. to 5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

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/Shannon R. Brooks/

Examiner, Art Unit 2617

Shannon Brooks

February 16, 2010

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617